

**MEMORANDUM**

TO: Regional Directors  
Regional Compliance and Enforcement Managers  
Regional Waste Compliance Managers

FROM: Karen Jackson Sismour *[SIGNED]*  
Waste Division Director

DATE: October 13, 2000 *Revised September 15, 2003*

COPY: Leslie A. Romanchik  
  
Julia King-Collins  
Steve Frazier  
John E. Ely  
Sanjay Thirungari

SUBJECT: Waste Procedure #5, Hazardous Waste Emergency Permits

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This memorandum updates the procedures for issuing emergency permits. Specifically, the authorized personnel for issuing oral emergency permits have been changed to Leslie Romanchik and Julia King-Collins of the Office of Waste Permitting.

To assist you on what is an emergency permit and when it is needed, the following is a brief description of the emergency permit process:

Under normal conditions, a facility must have either interim status or an effective permit for treatment, storage, or disposal of hazardous waste. However, in the event that there is "imminent and substantial endangerment to human health and the environment", an emergency permit may be issued to allow treatment, storage and/or disposal of hazardous waste at an unpermitted facility or at a permitted facility when this activity would not be covered by the effective permit. An example is the on-site or off-site detonation of explosives or the on-site treatment of laboratory chemicals that are too shock sensitive or potentially reactive to transport.

Emergency permits may be oral or written. An oral permit is followed by a written permit within five days. Because of the nature of these permits, they are high priorities and are processed very quickly.

When the emergency permit is issued, the facility is assigned a provisional EPA identification number to cover the treatment, storage and/or disposal activities allowed under the emergency permit. This number is given to the facility with the oral emergency permit.

The basic process for an emergency permit issuance is:

1. The facility contacts the designated DEQ staff for an emergency permit due to an imminent and substantial endangerment to human health and the environment from hazardous waste.
2. If the need is urgent, an oral permit, along with the provisional EPA ID number, is issued [note, oral permit is followed by written permit within 5-days]. Occasionally, a written permit may be issued without an oral permit; however, in the vast majority of the cases, an oral permit is issued initially
3. The facility submits the necessary information, and necessary fee, for processing of the written permit.
4. The emergency permit is issued and public noticed.
5. Any comments received are considered for future emergency permit requests, as the public notice occurs after permit issuance.

If you should encounter a situation requiring an emergency permit or are contacted by a facility requesting an emergency permit, please have the facility contact either Leslie Romanchik at (804) 698-4129 or Julia King-Collins at (804) 698-4237, if an oral emergency permit is warranted. If you are uncertain, please have the facility contact Julia King-Collins at (804) 698-4237 for assistance.

For your information, attached is the information a facility needs to provide for an emergency permit. This attachment is usually provided to the facility at the time of verbal approval so that the written permit can be processed within the 5-day timeframe. If desired, you may send the attachment to the requesting facility to assist them. Please note, there is a permit fee involved (\$2310); however, the Virginia Hazardous Waste Management Regulations allow the Director to determine that a lesser fee is warranted. This fee is typically waived for local jurisdictions and State agencies and institutions. However, the applicant should request in writing that the fee be waived. Once all of the required information is provided, the permit is processed for issuance and the required public notification. Julia King-Collins processes emergency permits.

When an emergency permit must be issued outside of normal business hours, please have the facility contact the following at the listed telephone number:

Leslie Romanchik	804-379-3354
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If you should have any questions regarding these procedures, please contact Leslie Romanchik at (804) 698-4129.

Attachment

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY  
P. O. BOX 10009  
RICHMOND, VIRGINIA 23240-0009**

**VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS (VHWMR)  
AND  
CODE OF FEDERAL REGULATIONS (CFR)**

**SPECIAL HAZARDOUS WASTE MANAGEMENT PERMITS  
AND SPECIAL FORMS OF PERMITS  
(VHWMR ' 9 VAC 20-60-270, and ' 9 VAC 2-60-270.61; 40 CFR Part 270, Subpart F,  
' 270.61)**

In general, the following information is required initially:

1. Name and Address of Permit Applicant
2. Name, Address, Phone Number, EPA ID Number of Generator
3. Contact Person Name and Phone Number
4. Name, Location, and EPA ID Number of Facility
5. Action Authorized
6. Description of Waste(s)
7. Location of waste
8. Qualifications of Individual(s) Performing Storage or Treatment (Resume')
9. When Storage, Transportation, or Treatment Will Occur?
10. Map of Treatment or Storage area to include 1,000 feet Around the Area
11. Name and Phone number of Local Officials to be contacted prior to Treatment Activity (such as fire, and police departments, city manager, county supervisor, Local Emergency Planning Committee (LEPC), etc.)
12. Evacuation Route (if applicable)
13. Storage or Treatment Procedures
14. Transportation Route and Time of Transportation; if material will be transported off-site, provide name of hazardous waste transporter
15. Permit Termination
16. Permittee Standards with Which Compliance is Required
17. Reporting

- 18. Reason for Issuance
- 19. Public Comments
- 20. Emergency Occurrences
- 21. Permit fee: \$2,310

Please mail the permit fee and the first page of the emergency permit application to:

Department of Environmental Quality  
Receipts Control  
P. O. Box 10150  
Richmond, VA 23240

- 22. Please mail the emergency permit application and a copy of the check to:

Julia M. King-Collins  
Department of Environmental Quality  
629 East Main Street  
Richmond, Virginia 23219

## Public Notice Authorization Form

### AUTHORIZATION TO BILL APPLICANT FOR A PUBLIC NOTICE

I hereby authorize the Department of Environmental Quality to have the cost of publishing a public notice billed to the Agent/Department shown below. The public notice will be published once in the: **[Insert Newspaper name here]**.

Agent/Department to be billed: \_\_\_\_\_

\_\_\_\_\_

Applicant's Address: \_\_\_\_\_

\_\_\_\_\_

Agent's Telephone No: \_\_\_\_\_

Authorizing Agent: \_\_\_\_\_  
Signature

Facility Name:

EPA ID#

Attn: **[Julia King-Collins]**

ATTENTION PERMITTEE: PLEASE COMPLETE THIS FORM AND RETURN IT AS SOON AS POSSIBLE TO:

Department of Environmental Quality  
Office of Waste Permitting  
P. O. Box 10009  
Richmond, Virginia 23240-0009  
Phone: (804) 698-4237  
Fax: (804) 698-4234